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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

HORIZON CHRISTIAN SCHOOL, an
Oregon nonprofit corporation;
MCMINNVILLE CHRISTIAN ACADEMY,
an Oregon nonprofit corporation; and LIFE
CHRISTIAN SCHOOL, an assumed business
name,

Plaintiffs,

v.

KATE BROWN, GOVERNOR OF THE
STATE OF OREGON, in her official capacity
only,

Defendant.

Case No. 3:20-CV-01345-MO

**DECLARATION OF LEAH HORNER IN
OPPOSITION TO APPLICATION FOR
MOTION FOR TEMPORARY
RESTRAINING ORDER**

I, Leah Horner, do hereby declare:

1. I am the Jobs and Economic Policy Advisor and Regional Solutions Director for Oregon

Governor Kate Brown. I have held that position since September 2019. Prior to that I was

Legislative Director for the Department of Human Services. I make this declaration from personal knowledge and expertise.

As part of my job, I am a liaison with local elected officials. In that role, I hold conference calls with those officials, including officials from the mid-Valley. Yamhill County Commissioner Mary Starrett is a participant in the mid-Valley weekly call.

2. I have reviewed the declaration of Commissioner Starrett. Plaintiffs and Commissioner Starrett conclude, based on their interpretation of a single comment of mine, that the purpose behind the Governor's Executive Orders relating to education institutions is to protect public schools from private schools. This is incorrect for a number of reasons.

3. First, Ms. Starrett takes what I said out of context and/or misapprehends what I said. I had been discussing a concern that had been raised in another call about the potential loss to an educational institution of state school funds if students were disenrolling from such a school. In a separate part of the conversation, we were discussing whether private schools could be exempted from following Department of Education guidance and I told Commissioner Starrett "no," public and private schools could not be operating off of different guidelines or metrics. Commission Starrett appears to have combined the two separate issues. I did not mean to imply that there would be an exodus from public schools if private schools re-opened and public schools did not. I was merely mentioning the possibility that if, for whatever reason, students disenrolled from a public school, that school would lose some of its state school funds. I was just trying to educate the officials on the conference call as to what these decisions look like on broader scale.

4. Second, I am not the person who makes policy determinations in the area of education for the State of Oregon. Those people are the Governor and Lindsey Capps. Therefore, even if I had said what Ms. Starrett reported, it would reflect only my own observations.

5. Third, Ms. Starrett's declaration overlooks the fact that all schools are being treated equally.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED August 19, 2020.

s/Leah Horner
LEAH HORNER

s/Marc Abrams
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CERTIFICATE OF SERVICE

I certify that on August 19, 2020, I served the foregoing DECLARATION OF LEAH HORNER IN OPPOSITION TO APPLICATION FOR MOTION FOR TEMPORARY RESTRAINING ORDER upon the parties hereto by the method indicated below, and addressed to the following:

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